

STATE OF ALASKA

DEPARTMENT OF FISH AND GAME

DIVISION OF HABITAT

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FISH HABITAT PERMIT FH-11-IV-0001-GP

ISSUED: January 1, 2011
EXPIRES: December 31, 2011

General Public:

Re: Vehicle and Equipment Fords—Matanuska-Susitna Borough / Knik River Public Use Area

Knik River- Water body - 247-50-10200
Anadromous fish: sockeye, coho and chum salmon

Bodenburg Creek - Water body - 247-50-10200-2071
Anadromous fish: sockeye and chum salmon

Jim Creek - Water body - 247-50-10200-2081
Anadromous Fish: sockeye and coho salmon

Friday Creek - Water body - 247-50-10200-2131
Sections 7, 8 & 17, T. 16 N., R. 4 E., S.M.
Anadromous Fish: coho salmon

Alaska law (AS 16.05.871) requires that a permit from the Alaska Department of Fish and Game, Division of Habitat be obtained prior to operating wheeled or tracked vehicles in or on the bed, banks, or waters of specified anadromous fish-bearing streams and lakes. The increase in off-road vehicle use over the past several years and the amount of use within the Knik River Public Use Area justifies the issuance of this General Permit (GP). This permit does not obligate or imply that the Division of Habitat will renew this GP in the future. The Division of Habitat will continue to work with local user groups, land management agencies and other resource managers to ensure that off road vehicle use avoids and or minimizes adverse impacts to fish and wildlife resources and their respective habitats. Please read this permit carefully.

Pursuant to AS 16.05.871(b), the Division of Habitat has determined that both the public interest and the proper protection of fish and game would be served by issuing a GP authorizing vehicle stream crossings at existing stream ford sites on the floodplain of the Knik River (Stream No. 247-50-10200). It does not authorize establishment of new stream fords or stream crossings at locations where there is not clear evidence of previous use. For purposes of this permit, all flowing waters on the floodplain of the Knik River, below the ordinary high water mark (OHW), including side channels and sloughs are considered part of the Knik River. This GP also authorizes the operation of ground contact vehicles on portions of the dry riverbed of the Knik River (attached map). These activities are subject to restrictions and stipulations in this GP. If you have any questions, please call the Palmer Division of Habitat for additional information (907-861-3200).

This GP authorizes stream crossings and the operation of ground contact vehicles on portions of the dry riverbed of the Knik River with a curb weight of up to 10,000 pounds. For purposes of this permit, "curb weight" is defined as "the weight of the vehicle with a full tank of fuel and all liquids

topped off, but with no one in the vehicle and no cargo loaded". Ground contact vehicles with a curb weight of more than 10,000 pounds are required to obtain an individual Fish Habitat Permit before crossing any anadromous fish bearing waterway. Please contact the Palmer Division of Habitat for permit application materials and/or additional information (907-861-3200). For additional information regarding regulations governing the cross country movement of equipment on state lands, please contact The Department of Natural Resources, Public Information Center in Anchorage (907-269-8400).

When crossing a stream with any motorized vehicle, you are required to cross within the shortest and most direct approach, while maintaining safety. This is usually perpendicular to the flow of the water. However, the Division of Habitat is aware that stream crossing locations may change depending on stream flow conditions. Because of this, non-perpendicular crossings may be necessary for safety.

This permit authorizes the operation of vehicles in flowing waters of anadromous streams only to access the opposite bank of the stream. Driving a vehicle up and downstream for any other purpose, including general recreation is strictly prohibited. Vehicles may not linger or delay while crossing streams. Harassing fish while crossing any stream is prohibited by regulation (5 AAC 75.060). Washing mud from vehicles while the vehicle is in the flowing waters of a stream is prohibited.

Knik River, Jim Creek, Bodenbug Creek, and Friday Creek are specified as important for spawning, rearing, or migration of anadromous fish pursuant to AS 16.05.871(a). They support sockeye, coho, and chum salmon, and a variety of resident fish species.

Your project is consistent with the Alaska Coastal Management Program. In accordance with AS 16.05.871(d), project approval is hereby given subject to the project description above and the following stipulations:

AUTHORIZED STREAM CROSSING LOCATIONS

Knik River: *Unless otherwise posted or noted herein*, ground contact vehicles may cross the main stem and all side channels and sloughs below the OHW mark of the Knik River from the face of the Knik River Glacier downstream to the westernmost boundary of the KRPUA (attached map).

Bodenbug Creek: Ground contact vehicles may only cross the flowing waters of Bodenbug Creek in the section of the creek extending upstream from its confluence with the Knik River. This is near the Old Knik River Bridge to point 100-feet downstream from where the flowing waters emerge from the shoreline vegetation near the OHW mark of the Knik River. No other stream crossings of Bodenbug Creek are authorized.

Jim Creek: Ground contact vehicles may only cross the flowing waters of Jim Creek downstream from where the creek emerges from the shoreline vegetation near the OHW mark of the Knik River. No other stream crossings of Jim Creek are authorized.

Friday Creek: Ground contact vehicles may only cross the flowing waters of Friday Creek within the boundaries of Sections 7, 8 & 17 of Township 16 N., Range 4 E., Seward Meridian (attached map). No other stream crossings of Friday Creek are authorized.

In accordance with AS 16.05.871(d), the movement of wheeled or tracked vehicles on the bed and banks of the Knik River and equipment crossings of the above referenced anadromous streams are hereby authorized subject to the provisions contained herein and subject to the following stipulations:

1. Stream crossings shall be made as directly as possible. Vehicle operations within streams shall be limited to that necessary to safely cross the water body.
2. Ground contact vehicles shall not be parked below the ordinary high water line of anadromous streams. Vehicles may be temporarily parked on the dry, exposed bed of the Knik River, provided they are under the direct supervision of the owner of the vehicle or his authorized agent.
3. The bed or banks of these specified water bodies shall not be altered or disturbed in any way to facilitate stream crossings. Existing fords shall not be modified, expanded, repaired, or otherwise changed without the prior written approval of the Division of Habitat.

This permit does not apply to commercial operators. Commercial operators who need to conduct equipment or vehicle crossings of anadromous streams or need to operate equipment or vehicles on the dry riverbed of the Knik River must obtain an individual Fish Habitat Permit prior to commencement of operations. Please contact the Palmer Division of Habitat for permit application materials and/or for additional information (907-861-3200).

You are responsible for the actions of contractors, agents, or other persons who perform work to accomplish the approved project. For any activity that significantly deviates from the approved plan, you shall notify the Division of Habitat and obtain written approval in the form of a permit amendment before beginning the activity. Any action that increases the project's overall scope or that negates, alters, or minimizes the intent or effectiveness of any stipulation contained in this permit will be deemed a significant deviation from the approved plan. The final determination as to the significance of any deviation and the need for a permit amendment is the responsibility of the Division of Habitat. Therefore, it is recommended you consult the Division of Habitat immediately when a deviation from the approved plan is being considered.

For the purpose of inspecting or monitoring compliance with any condition of this permit, you shall give an authorized representative of the state free and unobstructed access, at safe and reasonable times, to the permit site. You shall furnish whatever assistance and information as the authorized representative reasonably requires for monitoring and inspection purposes.

This letter constitutes a permit issued under the authority of AS 16.05.871. Please be advised that this determination applies only to activities regulated by the Division of Habitat; other agencies also may have jurisdiction under their respective authorities. This determination does not relieve you of your responsibility to secure other permits; state, federal, or local. You are still required to comply with all other applicable laws.

In addition to the penalties provided by law, this permit may be terminated or revoked for failure to comply with its provisions or failure to comply with applicable statutes and regulations. The department reserves the right to require mitigation measures to correct disruption to fish and game created by the project and which was a direct result of the failure to comply with this permit or any applicable law.

You shall indemnify, save harmless, and defend the department, its agents, and its employees from any and all claims, actions, or liabilities for injuries or damages sustained by any person or property arising directly or indirectly from permitted activities or your performance under this permit. However, this provision has no effect if, and only if, the sole proximate cause of the injury is the department's negligence.

This permit decision may be appealed in accordance with the provisions of AS 44.62.330-630.

January 1, 2011

Any questions or concerns about this permit may be directed to Habitat Biologist Maria Shepherd at (907) 861-3204 or emailed to maria.shepherd@alaska.gov.

Sincerely,

Cora Campbell, Commissioner



By: Michael L. Bethe, Habitat Biologist
Division of Habitat
(907) 861-3202

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Enclosure: Knik Public Use Area Map

cc: T. Oleck, AWT	M. Agnew, AWT	J. Fox, CF	S. Ivey, SF
L. Books, MLW	A. Ott, Habitat	D. Massie, AWT	B. Soiseth, COE
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A. Oels, WC	M. Daigneault, Habitat	D. Griffin, MLW	G. O'Doherty, SF
R. Piorkowski, SF	City of Wasilla	City of Palmer	City of Houston



The image is a topographic map of a region in Alaska, specifically the Knik River area. A prominent blue line is drawn across the map, following the course of the Knik River and its tributaries. This line defines the 'Knik Public Use Area'. The map shows various geographical features, including the Knik River, Knik Glacier, and several peaks. A text box is overlaid on the map, providing information about the public use area and stream crossings.

Knik Public Use Area

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Stream crossings are allowed
only on the Knik River bed
within the blue line